

# EXHIBIT 9

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

SEAN SMITH and CRYSTAL  
SMITH,

Plaintiffs,

-VS-

No. 5:17-CV-1302-D

CSAA FIRE and CASUALTY  
INSURANCE COMPANY,

Defendant.

DEPOSITION OF J. STEPHEN FORD, Ph.D, P.E.

TAKEN ON BEHALF OF THE PLAINTIFFS

IN OKLAHOMA CITY, OKLAHOMA

ON NOVEMBER 30, 2018

REPORTED BY: KASEY D. EGELSTON, CSR

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1 addition, obviously, the whole premise is this -- or  
2 the background of this, is certainly I was on the  
3 site and it indicates that I was on site on April  
4 20th. But on page 4 or ZFI -- Bates-number ZFI 17,  
5 under facts or data considered, I do indicate that I  
6 had reviewed Dr. Holliday's report.

7 Q So you've got Dr. Holliday's report. You  
8 also reviewed your site inspection photographs?

9 A Sure.

10 Q And your site inspection falls into a  
11 different category itself, so you have the site  
12 inspection itself as something you reviewed; right?

13 A The information obtained during the site  
14 visit, plus the photographs that were taken there.

15 Q Okay.

16 A Plus the transcript that was made while I  
17 was on site. As indicated in the report, I did  
18 review some weather data.

19 Q That's not included in the report though,  
20 is it?

21 A No. The actual data is not included in the  
22 report, but the indication of where I obtained the  
23 data --

24 Q Weather Underground, it's listed in there  
25 somewhere.

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1 A That's correct.

2 Q The other thing is, is that exclusively  
3 all you had when you were reviewing this file prior  
4 to writing this report?

5 A I believe that's correct.

6 Q Did you have Lisa Holliday's deposition at  
7 that time?

8 A No.

9 Q And since this inspection report, you  
10 reviewed the testimony of Lisa Holliday; right?

11 A That's correct.

12 Q And you haven't reviewed any additional  
13 pictures; right?

14 A That's correct.

15 Q Have you reviewed any other documents  
16 besides Lisa Holliday's deposition since writing  
17 that report?

18 A I'm sorry, could you ask the question  
19 again?

20 Q Yes. Have you reviewed any other  
21 documentation since writing that report, other than  
22 her deposition?

23 A Well, I mean, again, I indicated earlier I  
24 reviewed both the depositions of Mr. and Mrs.  
25 Smith.

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1           A    I believe that's correct. I think she  
2 testified to that.

3           Q    Do you believe that Ms. Lisa Holliday did a  
4 sufficient inspection of this property?

5           A    Yes. You know, based on what I saw from my  
6 inspection of the exterior and the interior of the  
7 house, if I hadn't been able to get into the attic,  
8 I would still have exactly the same opinions. If I  
9 hadn't been able to get in the crawlspace, I would  
10 still have exactly the same opinions with regard to  
11 whether the floor issues were seismically-related  
12 just based on all of the data that was available.  
13 Obviously, I didn't really see anything in the attic  
14 that brought anything to supplementing that opinion,  
15 other than the absence of damage that was consistent  
16 with seismic forces.

17               The foundation issues of deflected floors,  
18 the -- you know, that strengthened the opinion --  
19 the wet subgrade and the moisture-related issues  
20 that I saw, in addition to the non-vented  
21 crawlspace, all just strengthened the opinion that I  
22 would have had without doing it. Doing it -- you  
23 know, looking in the crawlspace, I would still come  
24 to the exact same conclusion that it was not  
25 seismically-related. I understand exactly, you

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1 know, what she did and it was an appropriate level  
2 of -- what I understand her assessment was, the  
3 process of the assessment and the opinions, I think  
4 she had an appropriate level of investigation and  
5 certainly I agree with the conclusions.

6 Q Well, it's -- do you know Lisa Holliday?

7 A No.

8 Q Have you ever met her?

9 A No. Not that I know of.

10 Q But you're okay backing up her thoroughness  
11 of her investigation?

12 A That's basically correct. If I had not had  
13 access to the attic or didn't think I had access to  
14 the attic or didn't think I had access to the  
15 crawlspace, I would have come to the same  
16 conclusions she came to.

17 Q Okay.

18 MR. ENGEL: Let me read through this.

19 (Break was had from 12:43 to 12:48)

20 Q (By Mr. Engel) You've read -- you're back  
21 on the record, Mr. Ford. You understand that -- I  
22 understand that you've read the depositions of Mr.  
23 and Mrs. Smith?

24 A That's correct.

25 Q And you're aware that the Smiths testified

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1 Q Have I been fair and polite to you today?

2 A Yes.

3 MR. ANDREWS: Are you going to ask me  
4 that question too?

5 MR. ENGEL: Have I been fair and polite  
6 to you today? We can go to lunch now; right?

7 MR. ANDREWS: Are you finished?

8 MR. ENGEL: I'm done.

9 MR. ANDREWS: I just have a couple of  
10 real quick questions following up on what you were  
11 just asked.

12 CROSS EXAMINATION

13 BY MR. ANDREWS:

14 Q Counsel had asked you regarding -- your  
15 opinions regarding Lisa Holliday's investigation at  
16 the house. Do you recall that?

17 A Yes.

18 Q And you have reviewed her report, as well  
19 as her deposition; correct?

20 A Yes.

21 Q And you've also reviewed the depositions of  
22 both plaintiffs; correct?

23 A Yes.

24 Q Do you believe Lisa Holliday was qualified  
25 to investigate this claim?

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1 MR. ENGEL: Form.

2 THE WITNESS: Yes.

3 Q (By Mr. Andrews) Do you believe her  
4 investigation was thorough?

5 MR. ENGEL: Let me just -- standing  
6 objection to all of this to the form, outside of his  
7 report, and then you can go ahead. Is that okay?

8 MR. ANDREWS: Yeah, that's fine.

9 MR. ENGEL: Okay. Anything relates to  
10 how well Lisa did.

11 Q (By Mr. Andrews) So do you believe her  
12 investigation was thorough?

13 A Yes.

14 Q Do you believe her investigation was  
15 proper?

16 A Yes.

17 Q And do you believe her investigation was  
18 detailed enough to determine the cause of damage in  
19 this claim?

20 A Yes.

21 Q I asked if you believe that Lisa Holliday  
22 was qualified. I think I did, but I can't recall.

23 A Yes, she was -- is.

24 Q During one of the breaks counsel made a  
25 statement that plaintiffs have had plenty of experts